



| | | | |
|--|--|---|--------------------|
| DECLARATION AND POWER | | Attorney Docket No. | ITV-002 |
| OF ATTORNEY FOR UTILITY OR DESIGN | | First Named Inventor | Buehler |
| PATENT APPLICATION | | COMPLETE IF KNOWN | |
| <input type="checkbox"/> Declaration Submitted with Initial Filing | | <input checked="" type="checkbox"/> Declaration Submitted after Initial Filing (surcharge 37 CFR 1.16(e) required) | |
| | | Application Serial Number | 10/659,454 |
| | | Filing Date | September 10, 2003 |
| | | Group Art Unit | Not yet assigned |
| | | Examiner Name | Not yet assigned |

As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Method and Apparatus for Computerized Image Background Analysis

(Title of the Invention)

the specification of which

is attached hereto

OR

was filed on
(MM/DD/YYYY)

September 10, 2003

as United States Application Serial Number or PCT International

Application Number

10/659,454

and was amended on

11/14/2003

(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose to the Patent Office all information known by me to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information known by me which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, or inventor's certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, or inventor's certificate(s), or of any PCT international application having a filing date before that of the application on which priority is claimed.

| Prior Foreign Application Number(s) | Country | Foreign Filing Date (MM/DD/YYYY) | Priority Not Claimed | Certified Copy Attached? YES NO |
|-------------------------------------|---------|----------------------------------|--------------------------|---|
| | | | <input type="checkbox"/> | <input type="checkbox"/> <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> <input type="checkbox"/> |
| | | | <input type="checkbox"/> | <input type="checkbox"/> <input type="checkbox"/> |

Additional foreign application numbers are listed on a supplemental priority data sheet attached hereto.

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

| Application Serial Number(s) | Filing Date (MM/DD/YYYY) | <input type="checkbox"/> Additional provisional application serial numbers are listed on a supplemental priority data sheet attached hereto. |
|------------------------------|--------------------------|--|
| | | |

Declaration and Power of Attorney for Utility or Design Patent Application

Serial No.

Atty. Docket No.

Page 2 of 3

DECLARATION – Utility or Design Patent Application

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c), of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

| U.S. Parent Application or PCT Parent Serial Number | Parent Filing Date (MM/DD/YYYY) | Parent Patent Number (if applicable) |
|---|---------------------------------|--------------------------------------|
| | | |

Additional U.S. or PCT international application numbers are listed on a supplemental priority data sheet attached hereto.

As a named inventor, I hereby appoint the following registered practitioners to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Customer Number → Place Customer Number Bar Code Label Here

OR

Registered practitioner(s) name/registration number listed below

| Name | Registration Number | Name | Registration Number |
|------------------------|---------------------|-----------------------|---------------------|
| Andrew F. Abramson | 52,538 | Duncan A. Greenhalgh | 38,678 |
| Steven M. Bauer | 31,481 | William R. Haulbrook | 53,002 |
| Mark L. Beloborodov | 50,773 | Ira V. Heffan | 41,059 |
| John V. Bianco | 36,748 | Douglas J. Kline | 35,574 |
| Robert S. Blasi | 50,389 | M. Brad Lawrence | 47,210 |
| Michael H. Brodowski | 41,640 | William A. Meunier | 41,193 |
| Jennifer A. Camacho | 43,526 | Thomas C. Meyers | 36,989 |
| Joseph A. Capraro, Jr. | 36,471 | Jennifer G. Moitoso | 51,752 |
| Fangli Chen | 51,551 | Ronda P. Moore | 44,244 |
| Christopher H. Chung | 50,351 | Jeremy P. Oczek | 50,794 |
| John J. Cotter | 38,116 | Jamie H. Rose | 45,054 |
| James C. De Vellis | 52,814 | Christopher W. Stamos | 35,370 |
| Robert V. Donahoe | 46,667 | Diana M. Steel | 43,153 |
| Brian A. Fairchild | 48,645 | Robert J. Tosti | 35,393 |
| James E. Fajkowski | 54,089 | Thomas A. Turano | 35,722 |
| Jason P. Fiorillo | 52,892 | Natasha C. Us | 44,381 |
| John V. Forcier | 42,545 | Christine C. Vito | 39,061 |
| Steven J. Frank | 33,497 | Daniel A. Wilson | 45,508 |
| Kia L. Freeman | 47,577 | Gerald E. Worth | 45,238 |
| Brian M. Gaff | 44,691 | | |
| Edward A. Gordon | 54,130 | | |

Additional registered practitioners named on supplemental Registered Practitioner Information sheet attached hereto.

Direct all correspondence to:

Patent Administrator
 Testa, Hurwitz & Thibeault, LLP
 High Street Tower
 125 High Street
 Boston, MA 02110
 Tel. No.: (617) 248-7000
 Fax No.: (617) 248-7100

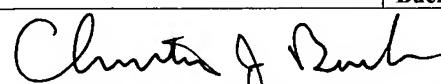
Declaration and Power of Attorney for Utility or Design Patent Application

Serial No.

Atty. Docket No.

Page 3 of 3

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

| | | | | | | | | |
|--|---|---|-------|----|---------|-------|-------------|-----------|
| Name of Sole or First Inventor: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | | | | | | |
| Given Name (first and middle [if any]) | | Family Name or Surname | | | | | | |
| Christopher J. | | Buehler | | | | | | |
| Inventor's Signature |  | | | | | | Date | 11/6/2004 |
| Residence | City | Cambridge | State | MA | Country | USA | Citizenship | USA |
| Mailing Address | 21 Harris Street Apt. 2 | | | | | | | |
| Mailing Address (ln. 2) | City | Cambridge | State | MA | ZIP | 02140 | Country | USA |
| <input type="checkbox"/> Additional inventors are being named on the _____ supplemental Additional Inventor(s) sheet(s) attached hereto. | | | | | | | | |
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | | | | | | |
| Given Name (first and middle [if any]) | | Family Name or Surname | | | | | | |
| Inventor's Signature | | | | | | | Date | |
| Residence | City | | State | | Country | | Citizenship | |
| Mailing Address | | | | | | | | |
| Mailing Address (ln. 2) | City | | State | | ZIP | | Country | |
| Name of Additional Joint Inventor, if any: | | <input type="checkbox"/> A petition has been filed for this unsigned inventor | | | | | | |
| Given Name (first and middle [if any]) | | Family Name or Surname | | | | | | |
| Inventor's Signature | | | | | | | Date | |
| Residence | City | | State | | Country | | Citizenship | |
| Mailing Address | | | | | | | | |
| Mailing Address (ln. 2) | City | | State | | ZIP | | Country | |